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Dated: April 12, 2006

Signature: Norman Green

(Norman Green)

Docket No.: 564462005300 / D1410-2US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Eileen TOZER et al.

Application No.: 10/624,909

Confirmation No.: 7087

Filed: July 21, 2003

Art Unit: 1637

For: FLUORESCENT PROTEINS, NUCLEIC
ACIDS ENCODING THEM AND METHODS
FOR MAKING AND USING THEM

Examiner: ANGELA MARIE
BERTAGNA

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT
AND PRELIMINARY AMENDMENT**

Dear Sir:

Responsive to the Election/Restriction Requirement Office Action mailed February 14, 2006 (the OA), Applicants respectfully request entry of the amendment and consideration of the remarks set forth herein. A response to the Office Action was initially due March 14, 2006. Applicants submit herewith a Petition for Extension of Time to extend the time to reply to this Office Action for one months to April 14, 2006. Accordingly, this Response is timely filed.

Amendments to the Specification begin on page 3 of this paper.

Amendment to the Claims are reflected in the listing of claims which begin on page 6 of this paper.

Amendments to the Drawings begin on page 42 of this paper and includes an attached, corrected replacement sheet

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Remarks begin on page 43 of this paper.

The following documents are enclosed herewith:

- Transmittal letter;
- Fee Transmittal;
- Petition for 1 Month Extension of Time;
- 1 Sheet of Replacement Drawings; and
- Return Receipt Postcard